PATENTS

A Book of Facts Every Inventor Should Know

MUNN & CO.
New York

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A Book of Facts
EVERY INVENTOR
Should Know

MUNN & CO.
TOWER BUILDING
CHICAGO, ILL.

MUNN & CO.
Patent Attorneys
NEW YORK

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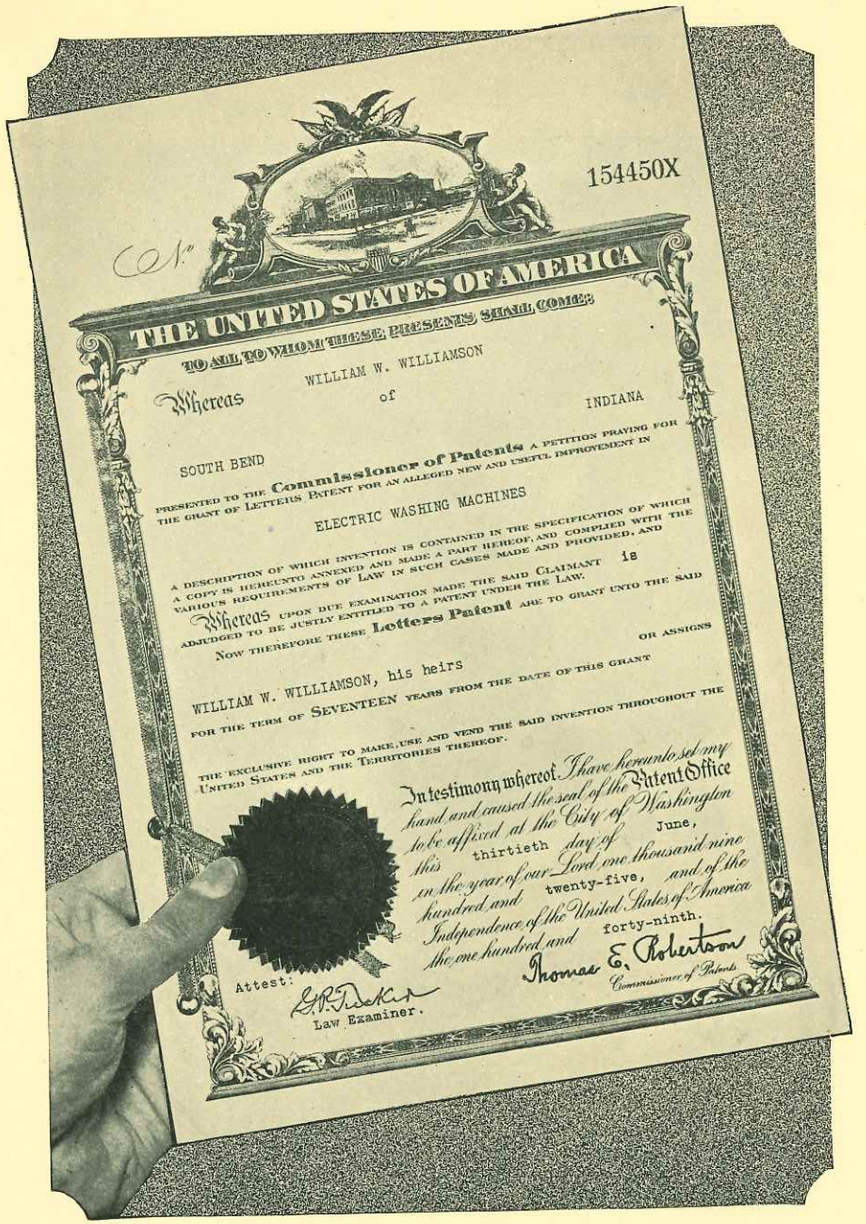


154450X

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Whereas WILLIAM W. WILLIAMSON of SOUTH BEND INDIANA

PRESENTED TO THE **Commissioner of Patents** A PETITION PRAYING FOR THE GRANT OF LETTERS PATENT FOR AN ALLEGED NEW AND USEFUL IMPROVEMENT IN

ELECTRIC WASHING MACHINES

A DESCRIPTION OF WHICH INVENTION IS CONTAINED IN THE SPECIFICATION OF WHICH A COPY IS HERETO ANNEXED AND MADE A PART HEREOF, AND COMPLIED WITH THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED, AND

Whereas UPON DUE EXAMINATION MADE THE SAID CLAIMANT is ADJUDGED TO BE JUSTLY ENTITLED TO A PATENT UNDER THE LAW.

NOW THEREFORE THESE **Letters Patent** ARE TO GRANT UNTO THE SAID

WILLIAM W. WILLIAMSON, his heirs OR ASSIGNS

FOR THE TERM OF SEVENTEEN YEARS FROM THE DATE OF THIS GRANT

THE EXCLUSIVE RIGHT TO MAKE, USE AND VEND THE SAID INVENTION THROUGHOUT THE UNITED STATES AND THE TERRITORIES THEREOF.

In testimony whereof I have hereunto set my hand and caused the seal of the Patent Office to be affixed at the City of Washington this thirtieth day of June, in the year of our Lord one thousand nine hundred and twenty-five, and of the Independence of the United States of America the one hundred and forty-ninth.

Thomas E. Robertson
Commissioner of Patents

Attest:
Law Examiner.

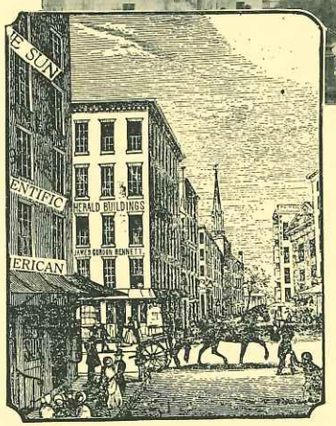
A patent is a monopoly granted you by the United States Government. By its terms, you, the inventor, are granted the right for seventeen years to keep everybody and anybody from making, using or selling your patented invention without your consent.

ORSON D. MUNN, LITT.B., LL.B.

Senior member of the firm of Munn & Co., patent attorneys; lawyer, editor and publisher of the Scientific American.

Foreword

UNLIKE the lawyer in general practice whose clients can and do visit him for personal consultation, the clients of a patent attorney are usually scattered throughout the various States of the Union and are often located in different foreign countries. With this in mind, the present book is written in an effort to form a closer personal contact between Munn & Co. and their out-of-town clients.



From their little office in the old New York Sun Building in 1846, Munn & Co. have progressed steadily through the years to offices in their own building. The New York Public Library appears on the left and the Engineers' Club on the right.

Introduction

You have an invention. It may be industrially important or it may not, but at any rate, it is a step forward. It represents straight, original thinking on your part—it is all yours—and you feel you are entitled to get the best protection for it that is possible. You have a right to feel that way.

In such an important matter you want to do business with men in whom you have confidence—confidence in their ability and in their integrity—with men who have built up a reputation over a long period of years for honest, faithful, intelligent and efficient service to just such inventors as you are.

Munn & Co. is an American institution. Founded in 1846, its direction has been in the same family for three generations. Its first case was the successful fight for an extension of the famous telegraph patent of Samuel F. B. Morse. Its clients since then have included a long line of inventors, great and small.

Munn & Co. are proud of their record. It means something to inventors, too, for in their long and wide experience Munn & Co. have acquired resources and facilities to aid inventors that no man or group of men could hope to acquire in a few years.

To serve inventors faithfully is more than a mere business with Munn & Co. It is a duty—a duty to the public and especially to inventors—a duty to keep on dealing fairly and squarely, to give to every man who places his confidence in us all the protection and all the safeguards our organization is able to give.

Into the entrance and reception room of the offices of Munn & Co. come inventors from all parts of the country to seek advice on the protection of their inventions, here and abroad.

From his desk in the Scientific American Building, Orson D. Munn directs the firm of Munn & Co.

What Will a Patent Cost You?

ONE of the first things you want to know is how much it will cost you to get a patent. That depends on what your invention is. In simple cases the following table applies. Remember it covers *the entire cost* including drawings and prosecution of the application for a patent until the Primary Examiner has made his final decision. *There are no extras.*

	Attorney's Fees	*Govt. Filing Fee*	*Govt. Final Fee*	*Total*
Mechanical	$ 85.00	$20.00	$20.00	$125.00
Chemical	100.00	20.00	20.00	140.00
Process	100.00	20.00	20.00	140.00
Electrical	110.00	20.00	20.00	150.00
Design Patent				
Three and a half years	35.00	10.00	.....	45.00
Seven years	35.00	15.00	.....	50.00
Fourteen years	35.00	30.00	.....	65.00
Trade mark	50.00	10.00	.....	60.00
Commercial Print or Label	19.00	6.00	.....	25.00
Copyright	.....	.....	.....	10.00

These fees are the standard for simple cases. Complex cases cost more in proportion. The table, also, does not cover costs of interference proceedings, appeals from final rejections, or other extraordinary expenses in unusual cases, about which we shall consult you before the expense is incurred.

YOU KNOW THE COMPLETE COST

In every case the cost is determined by the actual amount of work we have to do. This work consists of making official drawings, preparing specifications and claims, and prosecuting your patent application in the Patent Office until the Primary Examiner makes his final decision.

When you show us your invention completely, by either a model or a sketch with a description, we shall be able to tell you just what your application for a patent will cost you. The charge is as moderate as we can make it and still give you good, conscientious service. And remember this, *when we tell you what the cost of the application will be in your particular case, that, with the exception of expenses in extraordinary proceedings, such as interference or appeals, will be the full and complete cost of preparing and prosecuting your application before the Primary Examiner of the Patent Office to a final decision.* You will know before you start just how much you will have to pay for it.

In these private offices, inventors confer in confidence with the patent attorneys of Munn & Co. who take personal charge of their cases.

John K. Brachvogel, M.E., LL.B., lawyer and member of the firm of Munn & Co., has personal supervision of the patent attorneys in the New York Office.

How to Pay

WHEN you tell us to proceed with a simple patent application, send us your first payment, usually $50, so that we may prepare the papers to send to you for your approval and signature.

When you sign the application, return it to us with the balance of our fee, together with the first Government filing fee of $20. We then file your application in the Patent Office. Within ten days, you will receive an official filing receipt from the United States Patent Office.

After your application is allowed, you have six months within which to pay the final Government fee of $20 to have your patent issued.

In complicated cases, the first payment for our services naturally is increased, as well as the second, or final payment. The Government fees in all cases remain the same.

An applicant or an assignee of the entire interest may prosecute his own case, but he is advised, unless familiar with such matters, to employ a competent patent attorney, as the value of patents depends largely upon the skillful preparation of the specification and claims.

—RULE 17, RULES OF PRACTICE *in the U. S. Patent Office.*

Even this great building, erected in 1875, is now inadequate to care for the tremendous volume of patent business constantly being handled. Each week approximately a thousand new patents are issued, and numerous copies of each of the nearly 1,700,000 patents already issued must be kept on hand for reference and for sale.

Why Get a Patent?

A PATENT will protect your right to your invention. Without a patent someone else may use your invention, make the invented article and sell it and you will be powerless to stop him. With a patent you can prevent anyone from making, using or selling your invention. A patent enables you to get for yourself the profits you are entitled to from your invention.

A patent is a contract between you, the inventor, and the United States Government. The Government gives to you for a period of seventeen years a monopoly, that is, the right to keep everybody and anybody from taking advantage of your invention. In return for this valuable privilege, you give to the public at the end of the seventeen years the right to use your invention freely.

The patent the Government gives you is property—just as much so as furniture or real estate or money in the bank. If you die within the seventeen years, it belongs to your estate. You may do with it as you see fit—sell it, lease it, give it away or just keep it and do nothing with it at all.

Being such an important right, it is of the greatest importance that a patent be as strong and as broad as possible, that it give to the invention all the protection the invention is entitled to, that it leave no loophole through which someone else may use your idea and take for himself profits which should be yours.

Inventors sometimes believe that the amount of protection given by a patent depends merely upon the merit of an invention, upon how new the idea is, or upon how much better it is than other things in the same line.

That is not so.

The strength of a patent lies in the fullness of the disclosure and the breadth of its claims. *And remember, the Patent Office*

does not allow you any claims your attorney does not ask for. Upon the same invention a conscientious patent attorney of long experience and wide knowledge might get you a patent that would give you a real monopoly of your idea, while a patent attorney who is careless or has had little experience might get a patent that would give you very little protection, indeed. Any patent attorney, in fact, may get you a patent, but only a good attorney can be expected to get you a good patent.

It is necessary, therefore, that you select your patent attorney with care. Upon the manner in which he does your work, depends to a great extent the future success or failure of your invention. It is not a good rule to choose a patent attorney because his fees seem to be the lowest, nor yet because he talks the most about his honesty or his personal interest in you. Choose the man or the organization that has the best record for ability, long experience, character and business integrity. Ask your own bank about Munn & Co. and the *Scientific American.*

The works of founders of states, law-givers, tyrant-destroyers and heroes cover but a narrow space, and endure but for a time; while the work of the inventor, though of less pomp, is felt everywhere and lasts forever.

—LORD BACON *in "Novum Organum"*

What the Inventor Does

WHEN you have worked out your idea, give us enough facts about it so we can understand thoroughly just what you have in mind. Tell us how the parts are arranged, how they operate and what special advantages there are in your new features. You may tell us in any way you desire—by photographs or sketches with a written description, referring by number or letter to the parts pictured, or in any way that will make your idea clear.

If your invention is a process or a method of doing something, or is a composition, then the facts you give us should be such that all the steps of the process, the order in which they are made, the relation of the steps to each other, and the results that are accomplished are perfectly clear. In the case of a composition tell us also what the ingredients are, what proportions of each you use, and if possible, tell us what chemical actions may be involved.

Perhaps you have only the main features of your invention worked out, but some of the details are not yet complete. You may file an application for a patent now, provided your invention is workable in theory and based on well-known principles. The details may be worked out later and presented to the Patent Office in a new application. It should be understood that new details cannot be added to the original application.

Give us, also, your full name, the name of the country of which you are a citizen, and your full address.

With all of the above information we then will be prepared to go ahead with the task of securing patent protection for your invention.

In the Washington Office of Munn & Co., just down the street from the Patent Office, inventors who visit the Nation's Capital in person confer in the private offices of their patent attorneys.

Perry B. Turpin, lawyer and member of the firm of Munn & Co., as head of the Washington Office, is always available for consultation with Patent Office officials whenever the condition of an application calls for such attention.

What Our Office Does

WHEN you are ready to go ahead with your application, we tell you exactly what the application will cost you. Then as soon as you tell us to proceed, we prepare the necessary application papers and make the official drawings. The application papers include the specification, the claims, the oath and the petition.

THE SPECIFICATION

The specification amounts to a complete statement of your invention. It tells its purposes, the special advantages it has and the things it will do. We cannot impress upon you too strongly the importance of having the specification and drawings accurate and in the best technical form.

THE CLAIMS

The claims tell just what you say amounts to a new invention and why it is entitled to a patent as a new invention. The law says, the inventor "shall particularly point out and distinctly claim the part, improvement or combination which he claims as his invention or discovery." The claims are highly important. In fact, it has been said that the writing of patent claims calls for the most exact use of words of any kind of work involving the use of the English language.

This matter of drafting the claims is one of the things that distinguishes a good patent attorney from a poor one. If you have a real invention, almost any patent attorney can get you a patent, but it may not be worth much. It may cover only a small part of your idea, or some little unnecessary detail. Someone else could come along, make a very slight change, and use your actual invention without your being able to do anything about it. This is not what you want. You want a patent that gives you real protection.

The good patent attorney who puts his experience and his conscience into his work draws your patent claims so that they

cover every element of novelty in your invention without unnecessary limitations. When you get a patent with such claims, it is a real patent, a patent broad enough to keep others from reaping the profits of your inventive ability to which you alone are entitled to.

The *oath* is a formal statement that you believe yourself to be the original inventor of the invention.

The petition is your request for a patent on your invention as shown by the drawings, specification and claims.

With the drawings, the specification, the claims, the oath and the petition make up your application for a patent. It is necessary that this application be drawn up with the utmost skill. It is equally necessary that there be no delay in filing it in the Patent Office.

There is no work known which requires a more skillful and exact use of the English language than patent preparation and prosecution. A bungled patent application may deprive you of all the benefit and profit from your invention. The time, the energy and the expense you have already given deserve the services of an experienced, reliable patent attorney, especially when his fees are moderate.

Models and Sketches

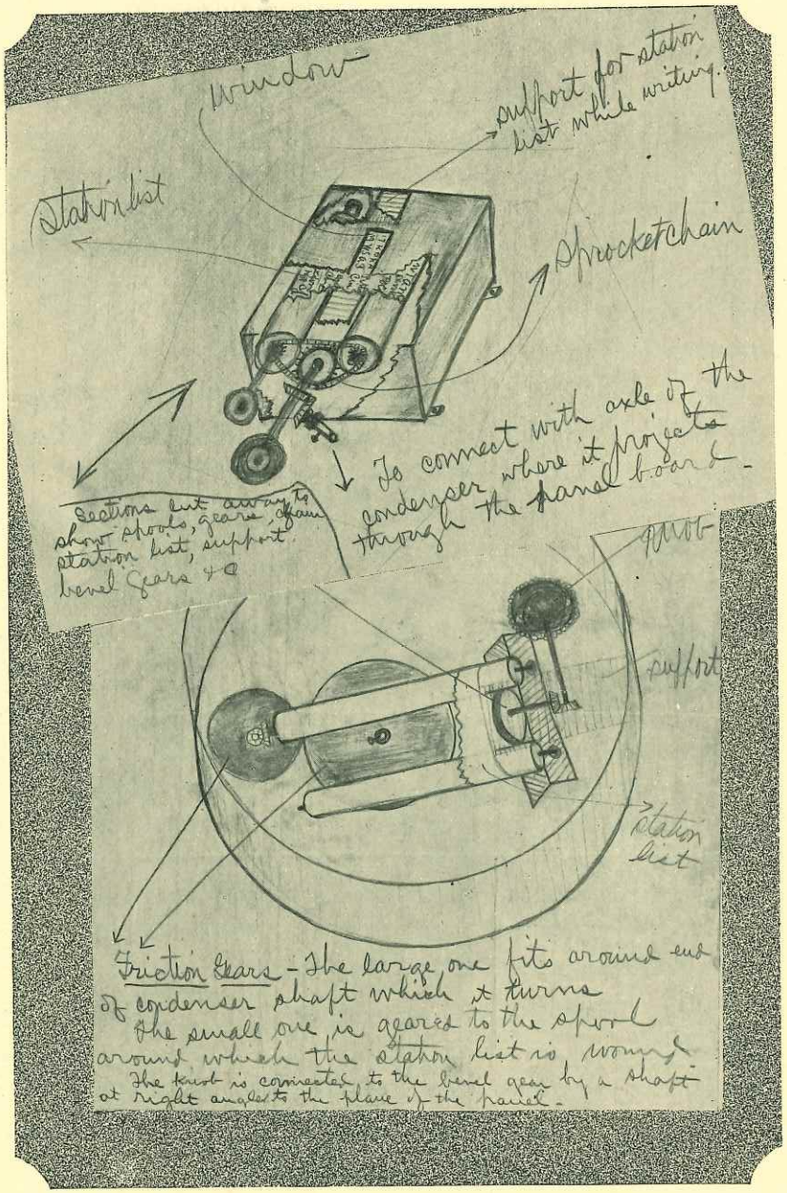
THE Patent Office does not require you ordinarily to furnish a model of your invention with your application for a patent; if it should develop that models are necessary, as they are in rare cases, they will be asked for by the Patent Office. However, it often is helpful for Munn & Co. to have a model of the invention as an aid in making drawings, specification and claims explain your new principle completely and to the best advantage.

Small models may be sent to our offices by parcel post; larger ones should be sent by express prepaid. In either case, to assure identification, be sure to have your name on the wrapper.

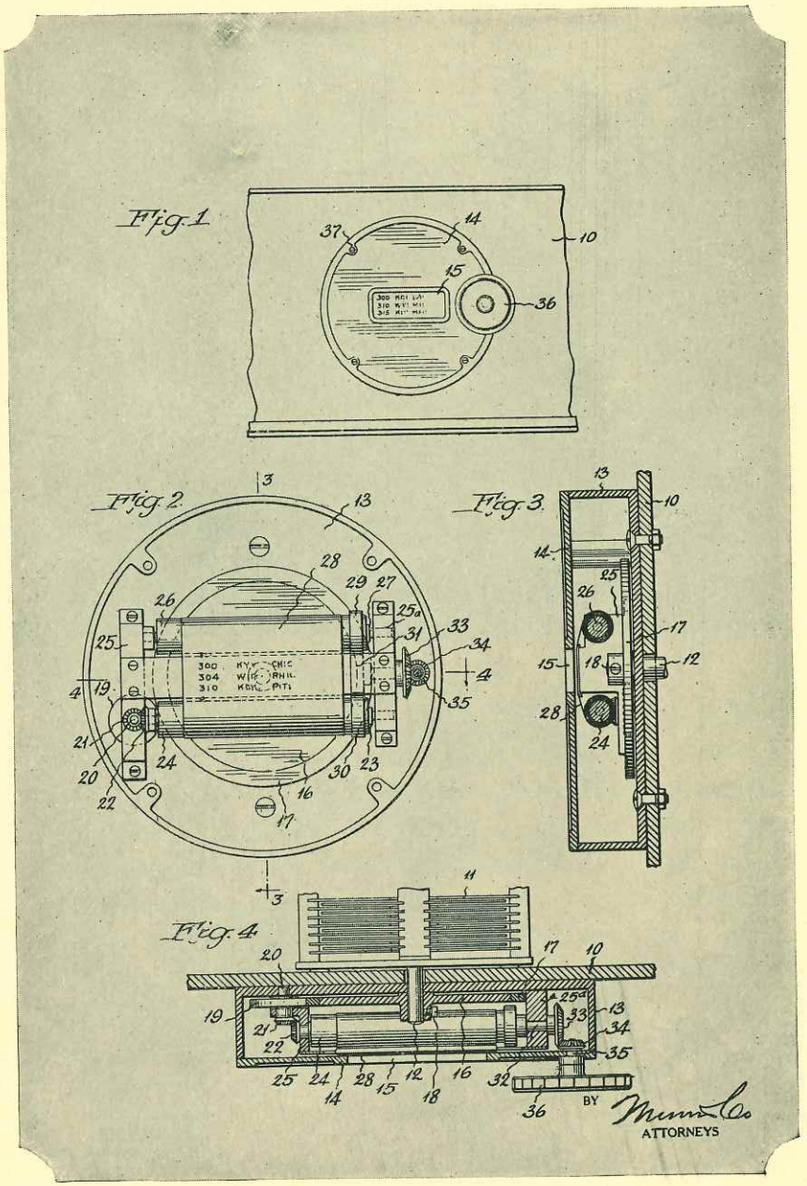
We do not advise you, however, to go to any unusual expense to have a model constructed. Usually, a simple sketch will answer just as well to give tangible form to your written description and enable the attorney and draughtsmen to put your idea in the proper form.

It is not necessary that you be a skilled draughtsman to make a sketch showing the form of your invention, the arrangement of its several parts or the manner in which they operate. Do not be afraid that your drawing will be too crude for us to understand. Just let your sketch show clearly and understandably what your invention is and how it works. If we are unable to understand it, we will write to you for more complete information about it and point out what we need.

On the following pages you will see the kind of sketch that an inventor sends us and the kind of official drawing our expert draughtsmen make from it for purposes of the patent application.


window
support for station list while writing.
station list
sprocket chain
To connect with axle of the condenser where it projects through the panel board.
Sections cut away to show spools, gears, chain, station list, support, bevel gears etc
support
station list
Friction Gears - The large one fits around end of condenser shaft which it turns. The small one is geared to the spool around which the station list is wound. The knob is connected to the bevel gear by a shaft at right angles to the plane of the panel.

Your sketches may be as amateurish as you please, so long as you make it perfectly clear to us through the sketch and the description just what your invention is.



From the inventor's sketch reproduced on the opposite page and a written description of the invention, the expert draftsmen of Munn & Co. made the official drawings reproduced above.

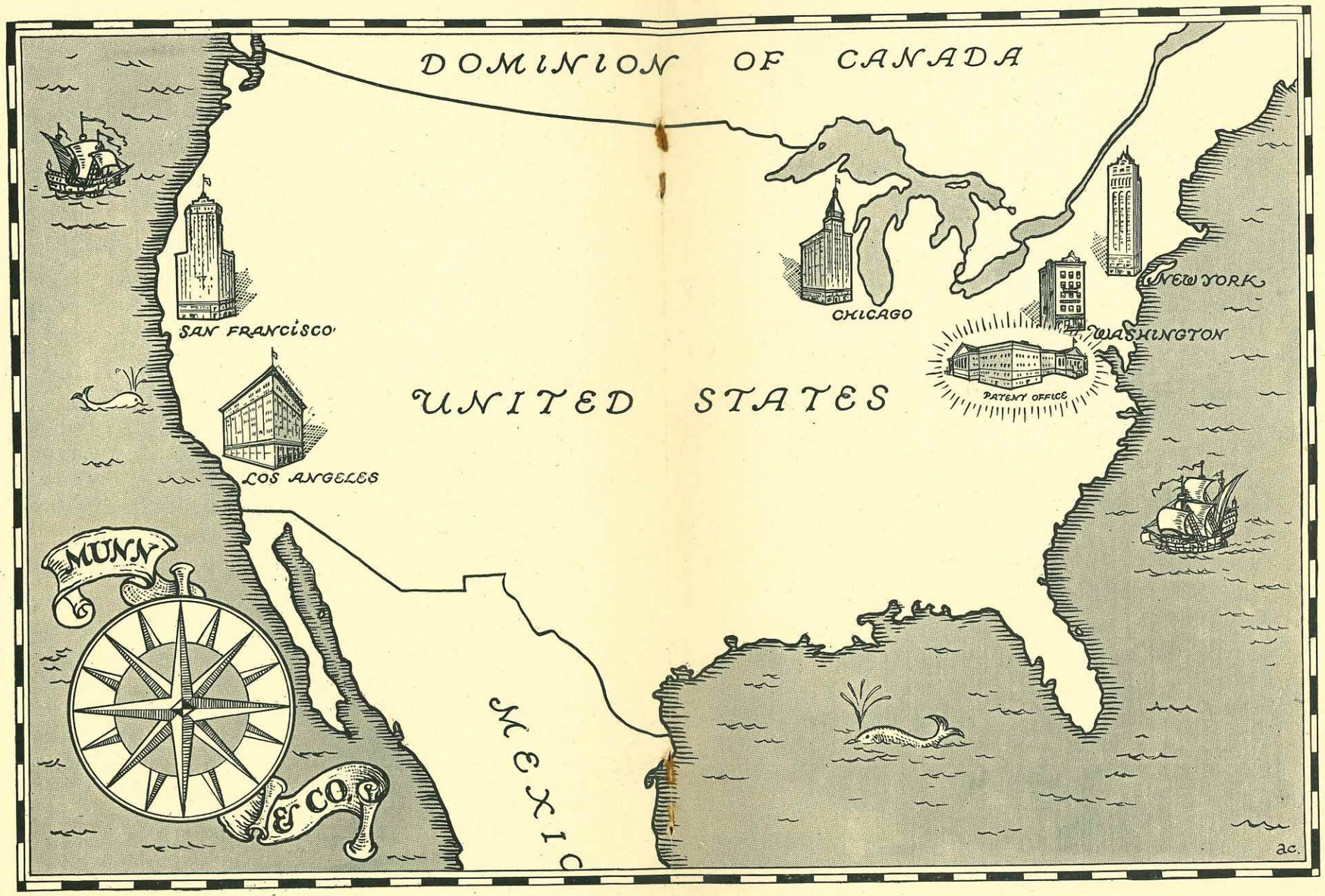
Skilled draftsmen in the employ of Munn & Co. make the official drawings which graphically present your invention as you have explained it by your model or by your sketches and descriptions.

In the Patent Office

WHEN the Patent Office gets your application for a patent and it has been found to be in proper form, it is assigned to its correct division where it goes to the Primary Examiner. He examines not only your invention but all the prior art, including United States patents and foreign patents, technical literature, etc., along the same lines as your invention which might affect your patent application. More than likely he will refuse to allow some of your claims which you think and we think ought to be allowed. In fact, the skillful attorney often asks for more than he really expects to get in order to draw out the patents which the Patent Office might cite as obstacles.

Then it is up to us to try to show the Primary Examiner that those earlier patents do not anticipate your invention. We keep urging your claims, or substituting new ones, and advancing new arguments to overcome the objections he raises until he makes a final decision. The fee you have paid us covers all these efforts for you up to this point.

Sometimes, however, the Primary Examiner may make a final decision we think does not do full justice to your invention. Then an appeal may be taken, first to the Board of Examiners-in-Chief, then to the Commissioner of Patents, and finally to the Court of Appeals of the District of Columbia. As such appeals would mean extra expense to you, we never recommend them unless we believe you are likely to succeed, and when we do recommend an appeal then we give you a complete idea of just what the full cost will be.



At strategic points across the country stand the offices of Munn & Co. to serve inventors—the home office in the Scientific American Building, New York; others in the Scientific American Building in Washington, a few steps from the Patent Office; in the Tower Building, Chicago; in the Hobart Building, San Francisco; and in the Van Nuys Building, Los Angeles.

In the Stenographic Department, the secretaries and stenographers of the Munn & Co. attorneys type out the many and complex documents involved in the preparation and prosecution of patent applications.

Interferences

IT IS just possible that somebody else has been working on the same invention as you have and is filing an application for a patent now. Such a situation is not as unusual as you might think. There are more than 1,000 cases a year where two or more inventors are demanding patents at the same time for the same invention. When such a thing happens, the Patent Office declares what it calls an Interference. It is a proceeding to give the various inventors an opportunity to prove which of them was the first. This proceeding is started by the Patent Office itself, not by the inventor or the patent attorney.

The patent is given to the man who was the first to conceive the invention. This is the case when he completed it and made it work within a reasonable time, or when he was the first to file his application for a patent.

If you can prove you were the first inventor and did not sleep on your rights, then ordinarily you will get your patent and the others will be denied. But proving it is often a hard job, for the law assumes, in the absence of proof to the contrary, that the man who filed his application first is the first inventor.

For that reason *it is of the greatest importance that you apply for a patent as soon as possible.* In addition to that it is a safe plan to have your first sketches and notes saved, the names of persons to whom you showed or explained your invention, and the dates when they learned of your invention.

We recommend that you set these facts down in the "Evidence Diary" found in the back of this book. You will find it a convenient form on which to record all the data necessary in an interference proceeding as well as a handy form to use when instructing us to apply for your patent.

Rejected Cases

ONE of the things Munn & Co. specialize in is patent applications which other people have handled and which for one reason or another have not met with success. Usually, when an inventor tries to prepare his own patent papers, things go wrong. He may not have prepared the papers properly and his application is delayed. Or he may have failed to make the proper legal and technical arguments. This sometimes happens with other attorneys.

In many such cases Munn & Co. are called in to set the matter straight. You must remember, however, that you are confined to matter found in the application as originally filed; matter not found in the original application, involving a departure from the original invention, cannot be added to the application. That is why it is necessary, if you wish us to take up a case that already has been started by someone else, you should write us fully about the condition of your application so that we may quote you our charge for completing its prosecution.

Assignments

You may sell or assign your invention if you so desire. This sale or transfer may be of the whole invention or of any part of it, such as a half or a fourth. You also may lease it or give to someone the right to manufacture and sell on a royalty basis. You may do these things at any time while the application is pending or after the patent is issued to you.

All assignments should be recorded in the Patent Office within ninety days after the date of execution. The usual cost of preparing and recording a simple assignment is $5

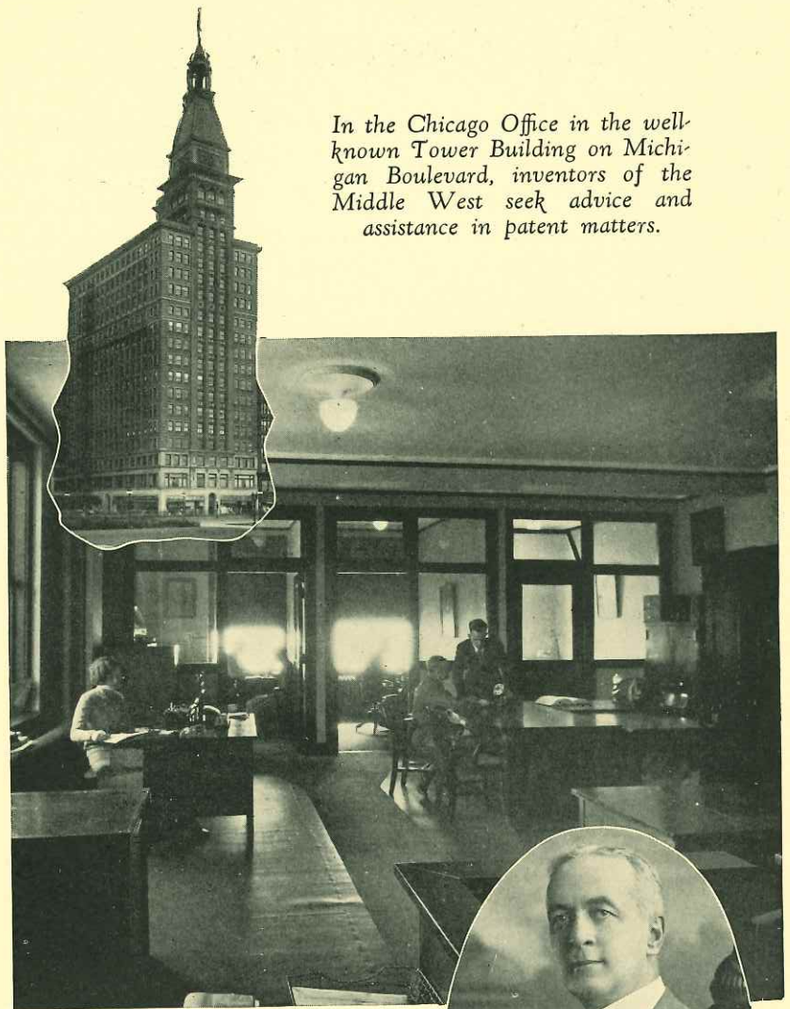
Specialists for Lawyers

WE ARE patent specialists not only for inventors but for lawyers, as well. Lawyers who have a general practice rarely have the technical knowledge or the time or the opportunity to become expert in the complex matters involved in patent work. However, their clients go to them often with inventions and ask for help in getting patents.

When that happens the lawyer who has had no patent experience recognizes it as a job calling for specialists. He realizes that it is highly important to his client that the work of getting a patent be done with the greatest care and expert knowledge if the inventor is to get the fullest possible protection his invention entitles him to. And it is important not only to the client, but to the lawyer, too, for if lawsuits should arise in the future over the invention, it is vital that the patent be as strong and broad as possible.

Many leading lawyers for generations past have been accustomed to having Munn & Co. do their patent work, and our relations with them have always been pleasant and satisfactory.

> *"While I am convinced that a claim covering this idea could have been drawn and would have been novel, this idea is not expressed in the claims in suit, and cannot be read into them."*
> —JUDGE TUTTLE *in Great Western Mfg. Co. vs. Lowe.*



In the Chicago Office in the well-known Tower Building on Michigan Boulevard, inventors of the Middle West seek advice and assistance in patent matters.

Lester A. Stanley, B.S., LL.B., M.P.L., lawyer, admitted to practice in both Federal and State Courts, personally supervises every patent matter entering the Chicago Office.

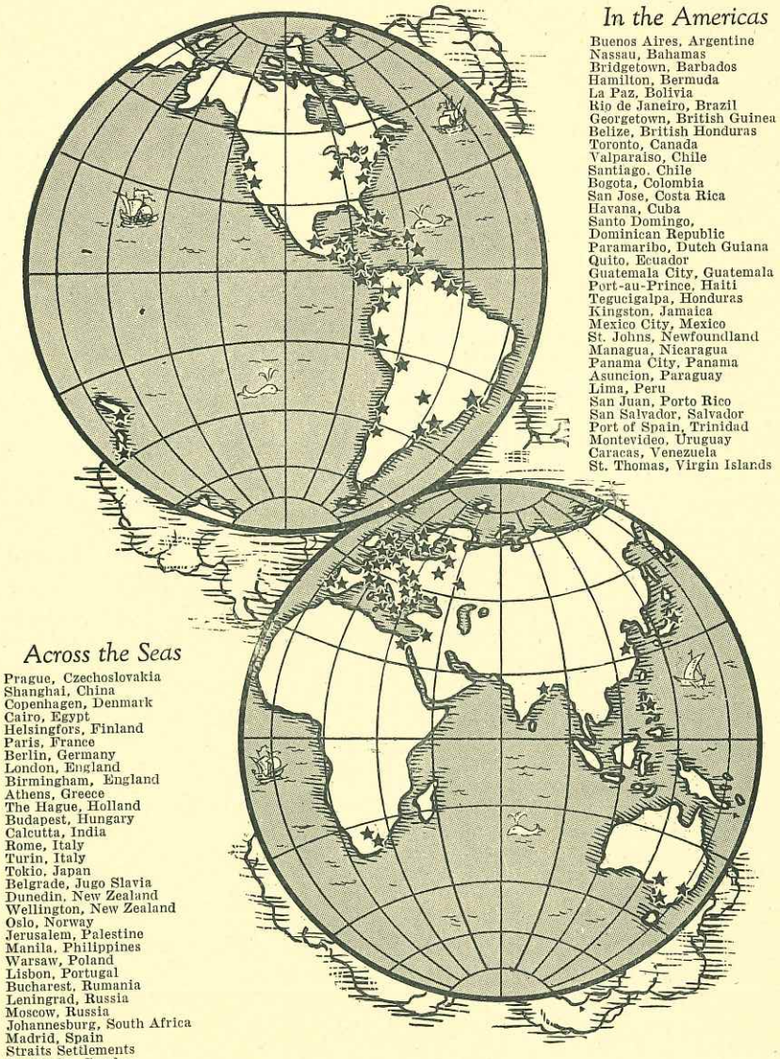
Infringement

THIS is something we hope you will never have anything to do with. If your invention is a profitable one, someone else may try to steal your idea. He may copy every feature of your invention or he may make some slight, unimportant changes, while still using your main idea, and derive a considerable income, which you should be getting, from manufacturing and selling the article.

You must stop such infringement of your patent rights. First, you must find out if the device or process, he is making use of, legally does amount to an infringement. This is a question for attorneys skilled in patent law.

If you have reason to think that any patent you own is being infringed or that any invention you are working on infringes the patent of someone else, give us the facts and we shall tell you promptly just what steps to take.

As a warning to possible infringers you should place on each article involving your patented invention the word "Patented" together with the date on which your patent was issued or its number. If you fail to so mark your patented invention, and should sue someone for infringement, the law says, "no damages shall be recovered by the plaintiff, except on proof that the defendant was duly notified of the infringement, and continued, after such notice, to make, use, or vend the article so patented."



In the Americas

Buenos Aires, Argentine
Nassau, Bahamas
Bridgetown, Barbados
Hamilton, Bermuda
La Paz, Bolivia
Rio de Janeiro, Brazil
Georgetown, British Guinea
Belize, British Honduras
Toronto, Canada
Valparaiso, Chile
Santiago, Chile
Bogota, Colombia
San Jose, Costa Rica
Havana, Cuba
Santo Domingo, Dominican Republic
Paramaribo, Dutch Guiana
Quito, Ecuador
Guatemala City, Guatemala
Port-au-Prince, Haiti
Tegucigalpa, Honduras
Kingston, Jamaica
Mexico City, Mexico
St. Johns, Newfoundland
Managua, Nicaragua
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Asuncion, Paraguay
Lima, Peru
San Juan, Porto Rico
San Salvador, Salvador
Port of Spain, Trinidad
Montevideo, Uruguay
Caracas, Venezuela
St. Thomas, Virgin Islands

Across the Seas

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Cairo, Egypt
Helsingfors, Finland
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Berlin, Germany
London, England
Birmingham, England
Athens, Greece
The Hague, Holland
Budapest, Hungary
Calcutta, India
Rome, Italy
Turin, Italy
Tokio, Japan
Belgrade, Jugo Slavia
Dunedin, New Zealand
Wellington, New Zealand
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Jerusalem, Palestine
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Warsaw, Poland
Lisbon, Portugal
Bucharest, Rumania
Leningrad, Russia
Moscow, Russia
Johannesburg, South Africa
Madrid, Spain
Straits Settlements
Stockholm, Sweden
Berne, Switzerland
Zurich, Switzerland
Geneva, Switzerland
Constantinople, Turkey

No matter in what part of the world you desire patent protection, an associate of Munn & Co. is prepared to serve you. Every star represents an associate of Munn & Co. All communications about foreign patents should be addressed to our offices in the United States.

Foreign Patents

OFTEN an inventor can add greatly to his profits by selling his invented article in foreign countries, or by selling or leasing the right to manufacture it abroad. In such cases patents are needed in those countries.

In many cases the foreign application may be filed before the issue of the United States patent, and the application in many foreign countries must be filed within a year of the filing of the application in the United States.

In many foreign countries there is an increasing annual tax in order to keep the patent alive, and the invention must be worked within a limited period to prevent either the patent being forfeited or being made subject to the grant of compulsory licenses.

Your foreign patents should be just as strong and as broad as your American patents. In order to be able to give you the best protection possible in whatever country you may decide to take out a patent, Munn & Co. have established a large chain of associates—patent experts—in the principal cities of the civilized world. No matter where you want a patent, Munn & Co. are ready to get it for you, promptly, efficiently and at a fee that is moderate.

FOREIGN INVENTORS

If you are a foreign inventor or an American citizen who has filed a patent application in a foreign country, you have one year from the date you *filed* the application within which to file an application for a patent in the United States. There are a few exceptions to this rule. Where it is a design patent you are seeking, the United States application should be filed within four months of the time you filed the *first* foreign application.

In any case involving a foreign invention or patent, send us the facts as soon as possible.

California is exceeded in percentage of inventors by only one State —Connecticut. Munn & Co. maintain in the Hobart Building, San Francisco, up-to-date offices in direct and constant communication with the home office in New York and with Washington.

In the San Francisco Offices, patent applications for far Western inventors are handled with the same expert skill and care that characterize the work of all of the offices of Munn & Co.

Joint Inventors

IT MAY be that more than one of you is the inventor of the thing you are seeking a patent for. The patent can be issued to both of you *as inventors* provided you really are inventors together. It will not do that one of you is the inventor and the other a partner or backer. Neither will it do for one of you to have supplied the idea and the other the work. Generally, it will not do that one of you invented one part of the apparatus and the other a different or unrelated part. You are not entitled to a joint patent in such cases. If a patent should issue it would be invalid and of no effect.

It is of the *greatest importance* that the exact relationship of two or more persons interested in a patent be made clear. It may sound strange, but inventors themselves often are confused about the nature of the help they have received on their own inventions. If two of you are the true inventors, then both should so sign the papers, if you are joint owners, the inventor only should sign and should make a proper written assignment to the other person.

It is necessary that you tell us all the facts about what you consider a joint invention in order that we may take the proper course.

"Any claim which is broader than the described invention is void, even where the invention is valid and could have supported a valuable claim."
—WALKER *on Patents.*

Making your patent claims fit your invention exactly is a task for a patent attorney of skill and experience.

Preliminary Examinations

BEFORE the Patent Office makes its decision on your application for a patent, nobody can know for a certainty whether or not your invention is patentable. Sometimes it is wise, however, especially where the invention is an extremely simple one, or is in a field where there are a great number of patents, to have a preliminary search made to find out whether there are any United States patents upon inventions so nearly like yours as to make it inadvisable for you to proceed further.

Unfortunately, such preliminary examinations do not provide complete information. They do not reveal foreign patents nor pending applications which are in the confidential files of the Patent Office. Neither do they disclose published articles about inventions or discoveries, which also might act as a bar to your application. Then, too, there is always the possibility that in a preliminary examination patents may be overlooked which will come to light later when the patent application is pending, for the reason that the Patent Office classifications constantly are undergoing revision and frequently certain subclasses of patents temporarily are unavailable for search.

Should you desire a preliminary examination, we shall make it for you as thoroughly and as carefully as possible. Our fee for this is $10. It is impossible, however, to give absolute assurance that a preliminary examination has disclosed every patent which may affect your application.

Going to Washington

FOR more than sixty years Munn & Co. have maintained their own building in Washington—the Scientific American Building—a few doors from the United States Patent Office. Here we maintain a large and completely equipped corps of patent specialists of long and wide experience. This is under the direct, personal supervision of Perry B. Turpin, one of the members of the firm of Munn & Co. and member of the bar of the Supreme Court of the United States and other courts. He is, in fact, one of the most widely known patent attorneys in the nation's capital. He or his assistants are in convenient position for contact with the officials and workers in every department of the Patent Office.

It is by no means necessary for you to make a personal visit to Washington. As a matter of fact, should economy be an important consideration, a personal visit would prove to be a waste of both money and time, in so far as gaining any special advantages are concerned, such as having your case passed upon more quickly than it otherwise would be. In almost every case our Washington Office can work with as good results for you when we learn the facts from you by mail.

To the Washington Office we extend you a most cordial invitation. Should you be going to Washington, by all means call at the Scientific American Building—at 625 F Street, N. W., just a few short steps from the Patent Office—and meet Mr. Turpin. The members of his large staff are in close and constant touch not only with the Patent Office but with all the other offices of Munn & Co. as well. You will be amazed at the complete and efficient organization we maintain in Washington for getting the best possible patent protection for your invention.

In the well-known Van Nuys Building in Los Angeles, inventors of the Southwest seek advice and assistance in matters of patent protection.

James A. Koehl, registered patent attorney of more than twenty years' experience, is in direct charge of the Pacific Coast offices of Munn & Co.

Design Patents

MANY an article is made more salable because of its appearance—its shape or structure or the ornamentation on its surface. This is a matter of design and, of course, has nothing to do with the mechanical features of the device.

In such a case, if your design is new, original and ornamental and involves invention, you may obtain a design patent. This is different from a mechanical patent. Design patents are issued for three different periods: three and a half years, seven years and fourteen years, according to the fee you pay. *(See page 9.)*

Many men apply for a design patent for the shortest term, even though they want protection for the longest time. Then, when they see the Patent Office has considered the application favorably, they pay the additional Government fee and get an extension to either one of the longer terms. This extension they obtain before the actual date of allowance of the design patent. By this method they avoid paying the fee for the long term until they are sure the design patent is going to be issued.

From a business standpoint design patents are often of the greatest importance. In many cases large business interests have been built up with design patents as their foundation.

As with mechanical patents, it is important that the application be filed without delay. Where a foreign application for a design has been filed, for example, the United States application must be filed within four months of the filing abroad.

The Filing Department of Munn & Co. is an invaluable treasury of facts and figures about thousands of important inventions. The records of your patent application will be guarded there in safety and in confidence.

Questions Inventors Ask

Who may apply for a patent?

Anybody. Citizens, foreigners, women, minors, executors or administrators of estates of deceased inventors and the guardian of insane inventors may obtain Letters Patent.

Is my employer entitled to my patent?

Not unless there is a special agreement to that effect.

Has he a right to use my invention?

That depends upon circumstances. Where you invent a machine, for example, and use it in your employer's business, or let him use it, it will be implied that he has a license to continue using it, or he may use your invention if you have produced it in his time and with his materials.

If I invent something and get someone else to work out the details and put the idea in practical form, is the other man a part inventor of the invention?

He is not. The invention is all yours. However, if the other man goes further than merely using mechanical skill to work out your ideas, and if he really makes an invention which is his own, he is, of course, entitled to a patent on that part which he really invented, or his contribution may be such as to make him a joint inventor.

Can I get a patent on some new shape for an instrument?

Under some conditions you can. If the new shape enables the instrument to perform new functions or enables it to perform old functions in a new and better way, it is an invention and you can patent it.

If another man and I own a patent together, may either of us without consulting the other grant a license to use the invention?

Yes.

Can I get a valid patent for a method of doing business or keeping accounts?

No. The invention must lie in some apparatus for doing the work.

If a creditor sues me and gets judgment, can my patent be seized and sold to satisfy that judgment?

No. A court of equity, however, may direct that your interest in the patent be sold to satisfy a judgment against you and the court will require you to assign the patent.

Can a patent be extended?

No. The patent runs for 17 years and then becomes public property. It can be extended for a further term only by Act of Congress and Congress almost never grants such a concession.

Where my patent application has been officially allowed but I have failed to pay the final government fee within the six months permitted by law, do I lose my rights?

Not entirely. In such a case the application is considered to have become forfeited. In order to revive the case it is necessary to renew the application and pay the first government fee of $20 over again. A lapsed application must be renewed within two years after the date it has been allowed. It is important that the renewal be filed as soon as possible because of possible interferences.

Suppose my patent has been issued but it contains a mistake in the specification, or in the claims, or in the drawings, can I have the patent reissued?

Yes, provided the mistake arose through inadvertence, accident or mistake. The mistake may be corrected by surrendering your original patent with a request that it be reissued. A suitable oath must support the application. Such a request must be made within a reasonable time after the patent has been granted, preferably within two years. After two years it is almost impossible to get a reissue.

Can I stamp "Patented" with date or number on articles I invent, before the patent actually has been issued?

No. Where this is done with intention to deceive you are liable to a penalty of $100 and costs for each lot of articles so stamped.

Is a shop right transferable?

A shop right is a mere license and cannot be transferred.

I have granted a license to another man to use my invention. He breaks his contract with me. Does that forfeit the license?

No. Not unless it has been expressly agreed upon.

When I die who gets the title of my patent?

Your executor or administrator.

If I get a patent, can anybody make for his own use an article which includes my invention?

No. The patent grants you the exclusive right to prevent others from making, selling and using your invention and no unauthorized person may make it even for his own use.

Is it possible for me to get a patent which may be entirely valid and yet which I cannot make use of without infringing a patent of someone else?

Yes. Your invention might be one which would depend upon another invention. For example, if you invented a telephone receiver, it probably would be useless without the many other patented inventions used in telephoning.

Can I sue the United States Government for infringing my patent?

Yes. The Court of Claims will award you damages if you prove your case. However, if you are in the government employ or service when your invention was made or at the time you bring suit, you cannot collect from the government for its use of the invention.

Does stamping "Patent Applied For" on my invented article give me any protection?

No. It merely is a warning that your patent is pending and that, if anybody steals your idea, he will be subject to a suit for infringement after the patent is issued. The only real protection is in the patent itself for which you should apply as early as possible.

Since 1845, the Scientific American has been the outstanding magazine for inventors and those interested in patent matters. You will find it on the desks of executives in the Patent Office, of scientists and of manufacturers looking for new developments they can apply to their own business. The entrance to the Editorial Offices is shown above.

SCIENTIFIC AMERICAN
A Magazine for Inventors

THE most helpful magazine for inventors ever to be published is the *Scientific American*. Founded in 1845, it has grown up side by side with Munn & Co. and has been continuously under the same ownership and management.

In fact, Munn & Co., patent attorneys, are a development of the close relationship existing between the editors of the magazine on the one hand and scientists and inventors on the other. The scientists and inventors, calling at the editorial offices with their new discoveries and devices, sought patent advice in such numbers that it was necessary to create a patent department to serve them.

The leading inventors of the country today find the *Scientific American* a necessary magazine. They are creators and they find that in addition to their wonderful imaginations, they need to be practical. They must know the things that scientists and industrial leaders are accomplishing; to play a part in the progress of the world they must be in touch with the progress others are making. Inventors read it to learn of patent news, of industrial developments that affect their inventive ideas. Manufacturers read it to learn what inventors are doing.

Incidentally, when you take out a patent through Munn & Co., a notice of your invention is published free of charge in the *Scientific American*.

Why not subscribe for it? It costs only $4 a year.

This is a portion of the Law Library. Here are found law reports of adjudicated patent cases, text books and reference works of many kinds to which the patent attorney must refer constantly in order to render the most expert and conscientious service to the inventor.

Don't Delay

PROMPT action is of the greatest importance. Right now someone else may be thinking of the very invention you are thinking of. He may apply for a patent before you do. If he does he is in a strong position to get a patent and prevent you from getting one. Even though you may have made your invention first, you are likely to find it hard to prove that you *were* the first.

To be safe you should apply for your patent as soon as you have your invention worked out. Don't delay.

If you still are working on your invention, or if for some other reason, you are not quite ready to apply for a patent, then act now to place your idea on record. Send to Munn & Co. today for an "Evidence Diary." There will be no charge for this and it may save you from being denied a patent later on.

In this "Evidence Diary" you may make a complete record of your invention, with dates and proper witnesses. Munn & Co. will safeguard it for you as valuable evidence in case the question of your being the original inventor should arise.

Don't run any risks. If you are *not* ready to apply for a patent send for an "Evidence Diary."

If you *are* ready to apply for a patent, then send a description and a sketch of your invention to Munn & Co. at once.

Don't delay. Write to Munn & Co. now.

EVIDENCE DIARY

THE purpose of this diary is to give you a desirable, legal way to protect your rights while you are getting ready to apply for a patent on your invention. You may not know just how to proceed to build up a complete record of the development of your invention. Like many other inventors, you may not have realized the importance of keeping in a safe place all sketches, photographs, models, experimental parts and actual working machines or devices showing the invention you seek to patent. This diary will help you.

It will serve also as a convenient form upon which to set forth the description and sketches of your invention when instructing your patent attorney to apply for a patent.

MUNN & CO.

Patent Attorneys

SCIENTIFIC AMERICAN BUILDING
24 West 40th Street, *New York*

SCIENTIFIC AMERICAN BUILDING
Washington, D. C.

TOWER BUILDING, *Chicago, Ill.*

HOBART BUILDING
San Francisco, Calif.

VAN NUYS BUILDING
Los Angeles, Calif.

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ANSWER
These Questions

Is this the first sketch you have made of your invention?

Answer.....

Is this the first description you ever made of your invention?

Answer.....

Have you ever made a model of your invention?

Answer.....

If you have made a model, where is it?

Answer.....

Did you ever make a full-sized device according to your invention?

Answer.....

If so, did it work?

Answer.....

If it worked, where and when was it first operated?

Answer.....

If it worked, is it in use now?

Answer.....

Have you ever manufactured and sold devices made in accordance with your invention?

Answer.....

If so, how many were sold?

Answer.....

NOTE: It is important that all models, sketches and descriptions be kept in a safe place.

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Evidence Diary

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Answer.....

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Answer.....

NOTE: It is important that all models, sketches and descriptions be kept in a safe place.

DELAYS ARE DANGEROUS

AN INVENTOR should not wait until someone else has applied for a patent before he asserts his rights. He should take every legal step as early as possible, lest at some point another man slip in ahead of him.

In the natural order of things, the government gives a patent to the first inventor, but where two or more inventors claim to be the first, it becomes a matter of evidence. You must prove that you are the first inventor. These pages give you a means of getting your evidence down in writing, with dates.

The danger of delay has been pointed out by the courts many times. A famous case along this line is that of Mason *vs.* Hepburn, decided by the Court of Appeals of the District of Columbia. Hepburn took out his patent on a gun clip on September 11, 1894. On December 31, 1894, Mason applied for a patent. He proved to the court that he had made a clip and tested it successfully on a gun in 1887. He stored it away, never making it public. Hardly anybody but himself had seen it. The court held that Mason had abandoned his invention and was not entitled to a patent.

Many other cases have been decided on the same principle. You must proceed without unreasonable delay if you want to protect your rights in an invention.

DRAWINGS

WITNESSES
SIGN HERE

..... *Date* .....

..... *Date* .....

..... *Date* .....

..... *Date* .....

INVENTORS
SIGN HERE

..... *Inventor*

..... *Inventor*

Address .....

Received, certified and filed by MUNN & CO.

per .....
(Member of the firm)

Date .....

DESCRIPTIONS

NOTARY SEAL

Subscribed and sworn to before me

this.....day of....., 192.....

.....

(Notary or other official empowered to administer an oath)

Instructions

MAKE necessary sketch or sketches of your invention. Sign your name and address. Have two or more witnesses, to whom the invention has been explained and who understand and can describe it, write their signatures and fill in dates when signed.

Write a description of your invention.

Acknowledge before a notary public that you are the inventor of the subject matter disclosed in the drawings and pictures. See that he attaches his seal. Make sure the proper date is set down.

Fill out and return this diary to Munn & Co. as early as possible. Acknowledgment will be sent to you by return mail.

DON'TS

DON'T throw away an earlier sketch of your invention because you have made a better one.

DON'T throw away any written descriptions of your invention.

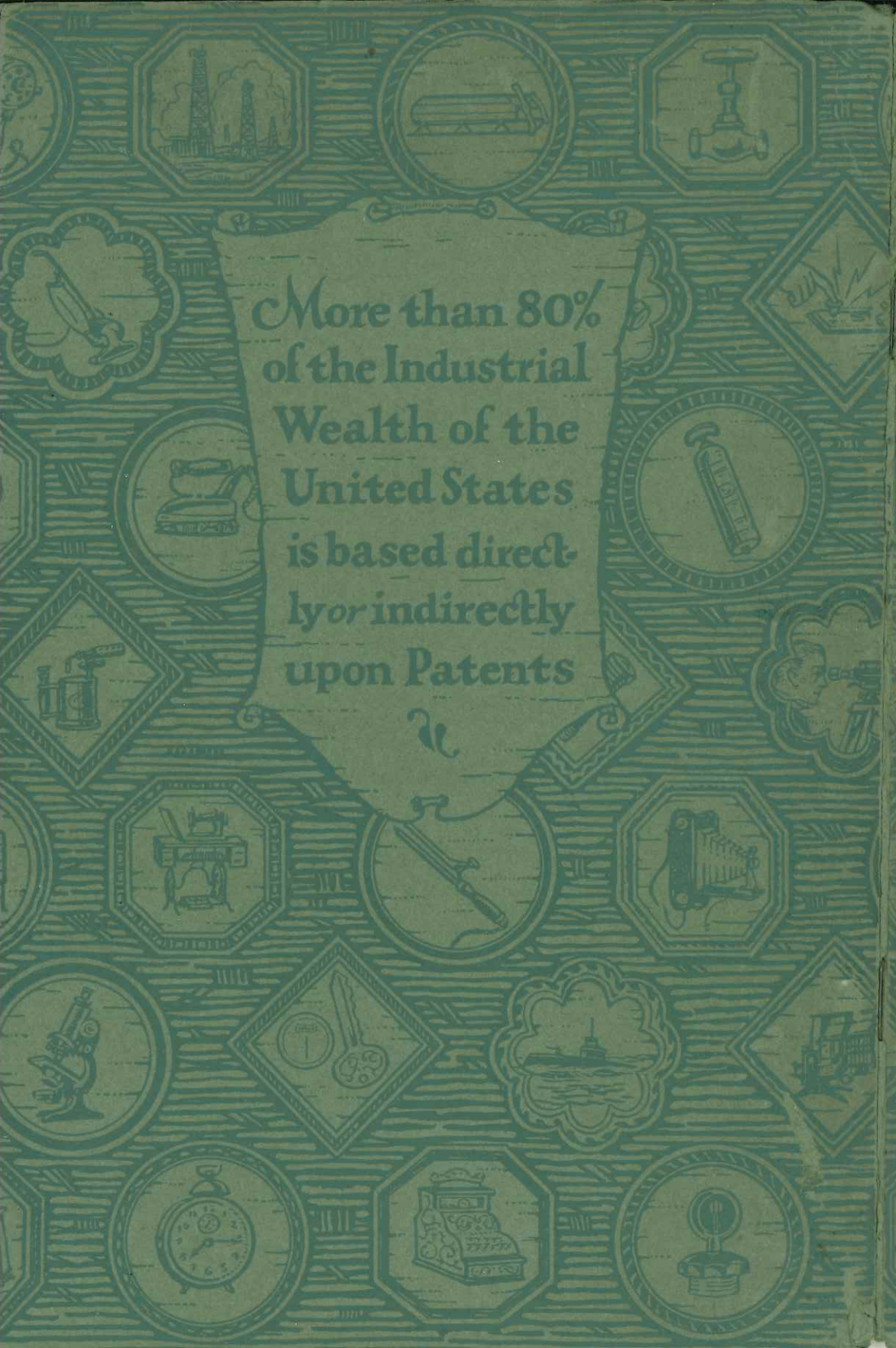
DON'T fail to describe your invention in confidence to witnesses you can trust.

DON'T fail to have the witnesses attach their signatures to your sketches and descriptions and to date them.

DON'T throw away any models or parts of models of your invention.

DON'T wait until someone else thinks of something like your invention before you make your sketches and description.

DON'T delay filing your application for a patent as soon as your invention is complete.


More than 80%
of the Industrial
Wealth of the
United States
is based direct-
ly or indirectly
upon Patents